

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

NEVA WILLIAMS,  
JANE DOE 2, and  
JANE DOE 3,

Plaintiffs,

Case No. 1:23-cv-01059-GBW/KRS

vs.

NEW MEXICO STATE UNIVERSITY, *et. al.*,

Defendants.

**ORDER GRANTING IN PART AND DENYING IN PART PLAINTIFFS' MOTION TO  
COMPEL DEFENDANT JOSEPH BERNING TO FULLY RESPOND TO PLAINTIFFS'  
FIRST INTERROGATORIES AND REQUESTS FOR PRODUCTION**

THIS MATTER is before the Court on Plaintiffs' Motion to Compel Defendant Joseph Berning to Fully Respond to Plaintiffs' First Interrogatories and Requests for Production (Doc. 120). The Court has considered said Motion and the Response of Defendant Joseph Berning, and has held a telephonic discovery conference on March 18, 2025. The Court has been informed the parties have agreed to limitations on the discovery requests at issue. Accordingly, the Court finds the Motion is well-taken in part and should be granted in part and denied in part:

THE COURT HEREBY FINDS that certain information sought by Plaintiffs' Interrogatory Nos. 3 and 13 to Defendant Joseph Berning requesting information as to Defendant Berning's interactions with students outside of the classroom is relevant and properly subject to discovery in this matter, but that said Interrogatories, as initially propounded, were overbroad.

THE COURT FURTHER FINDS that the Plaintiffs agreed to limit Interrogatory Nos. 3 and 13 to substantial interactions between Defendant Berning and students and that, with specific limitations to provide guidance to the parties as to the interactions subject to said Interrogatories,

said Interrogatories may appropriately be subject to response.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that, as to Interrogatory Nos. 3 and 13 set forth in the Motion, Defendant Joseph Berning shall provide responsive information as to identification of all personal interactions with female students, outside of the classroom, specifically limited to instances of travel, camping trips, and personal gatherings at Defendant Berning's home. As to these specific categories, Defendant Berning's objections are overruled.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that outside of the afore-listed categories, Interrogatory Nos. 3 and 13 are overbroad and Defendant Berning's objections thereto are sustained and said Interrogatories will not be subject to answer by Defendant Berning except as to the specific categories identified in this Order.

IT IS SO ORDERED this 27th day of March, 2025.



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KEVIN R. SWEAZEA  
UNITED STATES MAGISTRATE JUDGE

**SUBMITTED BY:**

/s/ Paul Linnenburger

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